



DA \$

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number

09/683,959

Filing Date

03/06/2002

First Named Inventor

Min-Hsun Hsieh

Group Art Unit

2818

Examiner Name

Phuc T Dang

Attorney Docket Number

KYCP0003USA

### ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment / Reply	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

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NOV 26 2003

Firm or Individual name

Winston Hsu, Reg. No.: 41,526

Signature

OFFICE OF PETITIONS

Date

### CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date: \_\_\_\_\_

Typed or printed name

Signature

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (01-03)

Approved for use through 04/30/2003. OMB 0651-0032  
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# FEE TRANSMITTAL for FY 2003

Effective 01/01/2003. Patent fees are subject to annual revision.

 Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 130.00)

## Complete if Known

Application Number	09/683,959
Filing Date	03/06/2002
First Named Inventor	Min-Hsun Hsieh
Examiner Name	Phuc T Dang
Art Unit	2818
Attorney Docket No.	KYCP0003USA

## METHOD OF PAYMENT (check all that apply)

 Check  Credit card  Money Order  Other  None
 Deposit Account:

50-0801

Deposit Account Number  
North America International Patent Office

The Commissioner is authorized to: (check all that apply)

- Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 750	2001 375	Utility filing fee	
1002 330	2002 165	Design filing fee	
1003 520	2003 260	Plant filing fee	
1004 750	2004 375	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)		(\$ 0.00)	

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 84	2201 42	Independent claims in excess of 3
1203 280	2203 140	Multiple dependent claim, if not paid
1204 84	2204 42	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 0.00)

\*\*or number previously paid, if greater; For Reissues, see above

## FEE CALCULATION (continued)

3. ADDITIONAL FEES  
Large Entity Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for ex parte reexamination	
1804 920*	1804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 410	2252 205	Extension for reply within second month	
1253 930	2253 465	Extension for reply within third month	
1254 1,450	2254 725	Extension for reply within fourth month	
1255 1,970	2255 985	Extension for reply within fifth month	
1401 320	2401 160	Notice of Appeal	
1402 320	2402 160	Filing a brief in support of an appeal	
1403 280	2403 140	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,300	2453 650	Petition to revive - unintentional	
1501 1,300	2501 650	Utility issue fee (or reissue)	
1502 470	2502 235	Design issue fee	
1503 630	2503 315	Plant issue fee	
1460 130	1460 130	Petitions to the Commissioner	130.00
1807 50	1807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	1806 180	Submission of Information Disclosure Stmt	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 750	2809 375	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 750	2810 375	For each additional invention to be examined (37 CFR 1.129(b))	
1801 750	2801 375	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify)			
*Reduced by Basic Filing Fee Paid		SUBTOTAL (3)	(\$ 130.00)

(Complete if applicable)

SUBMITTED BY

Name (Print/Type)	Winston Hsu	Registration No. (Attorney/Agent)	41,526	Telephone	886289237350
Signature		Date			11/20/2003

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, Washington, DC 20231.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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#6



PTO/SB/64 (10-01)

Approved for use through 10/31/2002. OMB 0651-0031  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>		Docket Number (Optional) <b>KYCP0003 USA</b>
<p>First named inventor: <b>Min-Hsun Hsieh</b>          Application No.: <b>09/683,959</b> Art Unit: <b>2818</b>          Filed: <b>03/06/2002</b> Examiner: <b>Phuc T. Dang</b>          Title: <b>Light Emitting Diode Having a Transparent Substrate and a Method for Manufacturing the Same.</b></p>		
<p>Attention: Office of Petitions          Assistant Commissioner for Patents          Box DAC          Washington, D.C. 20231</p>		
<p>NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.</p>		
<p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.</p>		
<p><b>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</b></p>		
<p>NOTE: A grantable petition requires the following items:</p>		
<ul style="list-style-type: none"> <li>(1) Petition fee;</li> <li>(2) Reply and/or issue fee;</li> <li>(3) Terminal disclaimer with disclaimer fee --required for all utility and plant applications filed before June 8, 1995; and for all design applications; and</li> <li>(4) Statement that the entire delay was unintentional.</li> </ul>		
<p>1. Petition fee</p>		
<p><input type="checkbox"/> Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.</p>		
<p><input checked="" type="checkbox"/> Other than small entity - fee \$ <u>130</u> (37 CFR 1.17(m))</p>		
<p>2. Reply and/or fee</p>		
<p>A. The reply and/or fee to the above-noted Office action in the form of <u>Petition to withdraw holding of Abandonment</u> (Identify type of reply):</p>		
<p><input type="checkbox"/> has been filed previously on _____</p>		
<p><input checked="" type="checkbox"/> is enclosed herewith.</p>		
<p>B. The issue fee of \$ _____.</p>		
<p><input type="checkbox"/> has been paid previously on _____</p>		
<p><input type="checkbox"/> is enclosed herewith.</p>		

[Page 1 of 2]

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

11/26/2003 AWONDAF1 00000095 500801 09683959  
 01 FC:2453 665.00 DA

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## 3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

## 4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))].

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4/20/2003

Date

Winston Hsu

Signature

Telephone  
Number: (886) 02-89237350

Winston Hsu, Patent Agent No. 41,526  
Typed or printed name

P.O. Box 506, Merrifield, VA 22116,

Address

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**OFFICE OF PETITIONS**

- Enclosures:  Fee Payment  
 Reply  
 Terminal Disclaimer Form  
 Additional sheets containing statements establishing unintentional delay  
 Other: \_\_\_\_\_

## CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

- deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Box DAC, Washington, D.C. 20231.
- transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6916.

                          
Date                          
Signature                          
Type or printed name of person signing certificate



## PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

5   Applicant:       Min-Hsun Hsieh              Examiner:   Phuc T Dang  
     Filing Date:     03/06/2002                   Art Unit:    2818  
     Serial No.:      09/683,959                   Docket No.: KYCP0003USA

10   Title:       Light Emitting Diode Having a Transparent Substrate  
       and a Method for Manufacturing the Same

15   To:           Commissioner for Patents  
       P.O. BOX 1450  
       Alexandria, VA 22313-1450

15   Subject:      Petition to withdraw holding of abandonment

Dear Sir or Madam:

20   The following is a petition under 37 CFR 1.181(a) to withdraw the holding of abandonment for the above-identified application, as per MPEP 711.03(c)(II).

25   On Sept. 29, 2003, the applicant received a Notice of Abandonment, indicated as mailed Sept. 17, 2003, for failing to file a timely reply to an Office action mailed on Dec. 18, 2002. However, the applicant did not receive this Office action, and a search of the file jacket and docket records attests to the fact that the Office action in question was not received.

30   Regarding the file jacket and docket records, please find attached Items A, B, and C.

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JAN 1 2004  
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PROGRAMS EXAMINER

Item A is the docket record on which record of all communications with the USPTO are recorded. On Item A, an encircled 1 indicates receipt of the Notice of Recordation on April 22, 2002, an encircled 2 indicates receipt of Notice of Publication on Feb. 6, 2003, and an encircled 3 indicates receipt of the Notice of Abandonment. Clearly, this office was receiving communications from the USPTO during the time the Office action in question would have been received, and specifically, within and after three months from the mailing date of this Office action.

Item B is a copy of the first page of the Notice of Recordation indicated above having a receipt date stamp (indicated by \*) of April 22, 2002. Please note that date stamps used by this office indicate the Republic of China (R.O.C., Taiwan) year wherein 91 corresponds to 2002, that is, the stamp date of "91.4.22" is "2002.Apr.22".

Item C is a copy of the Notice of Publication indicated above having a receipt date stamp (indicated by \*) of Jan. 27, 2003. Please note that the discrepancy of dates (Jan. 27, 2003 date stamp vs. Feb. 6, 2003 written on docket record) is a merely result of the multi-day Chinese New Year holiday occurring between these two dates.

25

In view of Items A, B, and C this office maintains that communications from the USPTO were properly being received at the address of record during the time the Office action in question would have been received.

30

Lastly, the Notice of Abandonment indicates that the examiner e-mailed the applicant on August 27, 2003. This office

regularly receives e-mail correspondence from the USPTO and its examiners and promptly replies to all such e-mails. A telephone call to inquire about this e-mail was placed to the examiner around Oct. 15, 2003, however, the examiner could  
5 not be reached.

In view of the above and with regards to MPEP 711.03(c)(II),  
the applicant respectfully requests that the holding of  
abandonment of the present application be withdrawn. The  
10 applicant respectfully requests that the Office action be  
re-mailed and that the statutory time period for reply to the  
Office action be reset accordingly.

15 Sincerely,

*Winston Hsu*

Date: 11/20/2003

20 Winston Hsu, Patent Agent No. 41,526  
P.O. BOX 506  
Merrifield, VA 22116  
U.S.A.  
e-mail : [winstonhsu@naipo.com.tw](mailto:winstonhsu@naipo.com.tw)

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## Item A

本所案號: KYC-P0003-USA

客戶案號: \_\_\_\_\_

國外案號: \_\_\_\_\_

專利案號: 09/683,959

發明人: 謝明杰、袁坤儒、魏學賢、呂志強、周錦俊、宋海波、劉敬昌、黃兆平

名稱: Light emitting diode having a transparent substrate and a method for manufacturing the same.

申請日期: 3/6/02 專利日期: \_\_\_\_\_

Item B

MARCH 07, 2002

NAIPO (NORTH AMERICA INTERNATI  
P.O. BOX 506  
MERRIFIELD, VA 22116



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Offic  
ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231



816854

\*800001693A\*

UNITED STATES PATENT AND TRADEMARK OFFICE  
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF  
THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS  
AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER  
REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE  
INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA  
PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD  
FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY  
CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723.  
PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE,  
ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY,  
SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 03/06/2002

REEL/FRAME: 012452/0471  
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNEE'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNEE:

HSIEH, MIN-HSUN

DOC DATE: 12/11/2001

ASSIGNEE:

CHUANG, KEUN-RU

DOC DATE: 12/11/2001

ASSIGNEE:

WEY, SHANE-SHYAN

DOC DATE: 12/11/2001

ASSIGNEE:

LU, CHIH-CHIANG

DOC DATE: 12/11/2001

ASSIGNEE:

JOU, MING-JIUNN

DOC DATE: 12/11/2001

ASSIGNEE:

SUNG, SHU-WEN

DOC DATE: 12/11/2001

ASSIGNEE:

LIU, CHIA-CHENG

DOC DATE: 12/11/2001

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Item C



UNITED STATES  
PATENT AND  
TRADEMARK OFFICE

Commissioner for Patents  
Washington, DC 20231  
[www.uspto.gov](http://www.uspto.gov)

APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/683,959	03/06/2002	Min-Hsun Hsieh	KYCP0003USA

CONFIRMATION NO. 7583

027765  
NAIPO (NORTH AMERICA INTERNATIONAL PATENT OFFICE)  
P.O. BOX 506  
MERRIFIELD, VA 22116

924867



\*OC000000009318168\*



Title: Light emitting diode having a transparent substrate and a method for manufacturing the same

Publication No. US-2003-0003613-A1

Publication Date: 01/02/2003

Date Mailed: 01/02/2003

### NOTICE OF PUBLICATION OF APPLICATION

The above-identified application will be electronically published as a patent application publication pursuant to 37 CFR 1.211, et seq. The patent application publication number and publication date are set forth above.

The publication may be accessed through the USPTO's publically available Searchable Databases via the Internet at [www.uspto.gov](http://www.uspto.gov). The direct link to access the publication is currently <http://www.uspto.gov/patft/>.

The publication process established by the Office does not provide for mailing a copy of the publication to applicant. A copy of the publication may be obtained from the Office upon payment of the appropriate fee set forth in 37 CFR 1.19(a)(1). Orders for copies of patent application publications are handled by the USPTO's Office of Public Records. The Office of Public Records can be reached by telephone at (703) 308-9726 or (800) 972-6382, by facsimile at (703) 305-8759, by mail addressed to the United States Patent and Trademark Office, Office of Public Records, Crystal Gateway 4, Room 335, Washington, D.C. 20231, or via the Internet.

In addition, information on the status of the application, including the mailing date of Office actions and the dates of receipt of correspondence filed in the Office, may also be accessed via the Internet through the Patent Electronic Business Center at [www.uspto.gov](http://www.uspto.gov) using the public side of the Patent Application Information and Retrieval (PAIR) system. The direct link to access this status information is currently <http://pair.uspto.gov/>. Prior to publication, such status information is confidential and may only be obtained by applicant using the private side of PAIR.

Further assistance in electronically accessing the publication, or about PAIR, is available by calling the Patent Electronic Business Center at (703) 305-3028.

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Initial Patent Examination Division (703) 308-1202

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